84-547

No. 84-547

Office - Supreme Court, U.S.
FILED
OCT 26 1984
ALEXANDER L. STEVAS
CLERK

IN THE
Supreme Court of the United States
OCTOBER TERM, 1984

TRAVIS WARD,
Petitioner
v.
SENTRY TITLE CO., INC.,
Respondent

SUPPLEMENTAL APPENDIX

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

STAR GRAPHICS INC. - (601) 981-2161 - JACKSON, MS 39206

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Order Denying Petitions for Panel Rehearing and Suggestion for *En Banc* Rehearing, dated June 21, 1984	Appendix A	1
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Order Denying Motion for Leave to File *En Banc* Suggestion, dated August 30, 1984	Appendix C	3

APPENDIX A

U.S. COURT OF APPEALS
FILED
JUN 21 1984
GILBERT E. GANUCHEAU
CLERK

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 82-1108

LARRY D. HARRIS, Plaintiff,
versus
SENTRY TITLE COMPANY, INC., ET AL.,
Defendants-Appellants,
versus
TRAVIS WARD, Defendant-Appellee.

Appeal from the United States District Court for the
Northern District of Texas

ON PETITION FOR REHEARING AND SUGGESTION FOR REHEARING EN BANC

(Opinion 3/12/84, 5 Cir., 198__, ____F.2d____)
(June 21, 1984)

Before WILLIAMS and JOLLY, Circuit Judges, and WILL*, District Judge.

(XX) The Petition for Rehearing is DENIED and no member of this panel nor Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc, (Federal Rules of Appellate Procedure and Local Rule 35) the Suggestion for Rehearing En Banc is DENIED. Judge Will dissents.

( ) The Petition for Rehearing is DENIED and the Court having been polled at the request of one of the members of the Court and a majority of the Circuit Judges who are in regular active service not having voted in favor of it, (Federal Rules of Appellate Procedure and Local Rule 35) the Suggestion for Rehearing En Banc is also DENIED.

( ) A member of the Court in active service having requested a poll on the reconsideration of this cause en banc, and a majority of the judges in active service not having voted in favor of it, rehearing en banc is DENIED.

ENTERED FOR THE COURT:

United States Circuit Judge

*District Judge of the Northern District of Illinois sitting by designation.

CLERK'S NOTE: SEE FRAP AND LOCAL RULES 41 FOR STAY OF THE MANDATE.

APPENDIX B

U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
JUL 23 1984
NANCY HALL DOHERTY, CLERK
Deputy

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 82-1108

D. C. Docket No. CA-3-75-0680-D

LARRY D. HARRIS, Plaintiff-Appellee,
versus
SENTRY TITLE COMPANY, INC., ET AL.,
Defendants-Appellants,
versus
TRAVIS WARD, Defendant-Appellee.

Appeal from the United States District Court for the Northern District of Texas

Before WILLIAMS and JOLLY, Circuit Judges, and WILL*, District Judge.

JUDGMENT

This cause came on to be heard on motions of the parties for recall of the mandate;

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the motions for recall of the mandate are granted; the judgment of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said District Court for further proceedings consistent with the opinion of this Court. The original decision of this Court of September 26, 1983 remains unchanged except as noted in the Court's opinion of this date.

IT IS FURTHER ORDERED that defendant-appellee pay to defendants-appellants, the costs on appeal to be taxed by the Clerk of this Court.

MARCH 12, 1984

Issued as Mandate: JUL 23 1984

A true copy Test: GILBERT F. GANUCHEAU
Clerk, U.S. Court of Appeals, Fifth Circuit
By [signature] Deputy 7-23-84
New Orleans, Louisiana

*District Judge of the Northern District of Illinois, sitting by designation.

APPENDIX C

United States Court of Appeals

FOR THE FIFTH CIRCUIT

August 30, 1984

MEMORANDUM TO COUNSEL
OR PARTIES LISTED BELOW:

No. 82-1108 - HARRIS v. SENTRY v. WARD
(D.C. No. CA-3-75-0680-D)

The following action has been taken in the above case:

☐ AN EXTENSION OF TIME has been granted to and including
- ☐ for filing appellant's/petitioner's brief.
- ☐ for filing appellee's/respondent's brief.
- ☐ for filing reply brief.
- ☐ for filing petition for rehearing.
- ☐

☐ Motion to consolidate granted.
☐ Motion to supplement or correct the record granted.
☐ Motion for leave to file supplemental brief granted.
☐ Motion for leave to file brief *amicus curiae* is granted.
☐ Joint motion as to time for filing briefs granted.
☑ Order enclosed has been entered.
☐

GILBERT F. GANUCHEAU, Clerk

By: H. Holdams, Jr.
Deputy Clerk

MOT-2

cc: Mr. J. Albert Kroemer
Mr. David Crump
Mr. Charles O. Shields
Mr. Hiram C. Eastland, Jr.
Mr. James P. Coleman
Mr. Kirk P. Watson
Mr. Michael F. Rohde

P.S. TO MR. EASTLAND:
IN LIGHT OF THE COURT'S ORDER I RETURNED HEREWITH YOUR UNFILED SUGGESTION FOR REHEARING EN BANC.

APPENDIX C

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS
FILED
AUG 30 1984
GILBERT E. GANUCHEAU
CLERK

No. 82-1108

LARRY D. HARRIS, Plaintiff,

versus

SENTRY TITLE COMPANY, INC., ET AL.,
Defendants-Appellants,

versus

TRAVIS WARD, Defendant-Appellee.

Appeal from the United States District Court for the Northern District of Texas

O R D E R :

IT IS ORDERED that the motion of appellee for leave to file suggestion for rehearing en banc in light of intervening decision of Supreme Court of Texas is **denied**.

UNITED STATES CIRCUIT JUDGE